

JOSEPH P. RUSSONIELLO (CSBN 44332)
United States Attorney

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E-FILING

RICHARD W. WIEKING
CLERK
U.S. DISTRICT COURT
NO. DIST. OF CA. S.J.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA

Plaintiff,

v.

ROBERT WAYNE MCMARTIN,
a/k/a Charles Bernie Kaiser,

Defendant.

CR - 08 - 00445 - MAG

VIOLATION: Title 18, United States Code
Section 1028(a)(4) – Possession of an
Identification Document with the Intent to
Defraud the United States (Class A
Misdemeanor)

SAN JOSE VENUE

INFORMATION

The United States Attorney charges:

On or about January 2, 2004, in the Northern District of California, the defendant,

ROBERT WAYNE MCMARTIN,
a/k/a Charles Bernie Kaiser,

did knowingly possess an identification document other than one issued lawfully for the use of
the possessor, namely a fictitious United States passport in the name of Charles Bernie Kaiser,
with the intent that such document be used to defraud the United States, in violation of Title

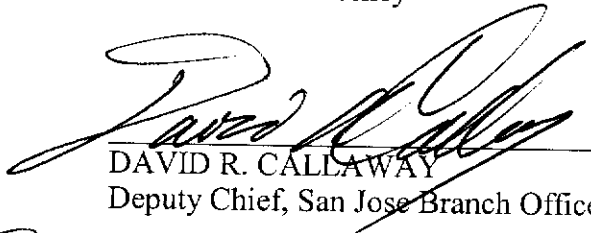
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1 18, United States Code, Section 1028(a)(4), a Class A misdemeanor.
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4 DATED:

5/31/2008

JOSEPH P. RUSSONIELLO
United States Attorney


DAVID R. CALLAWAY
Deputy Chief, San Jose Branch Office

9 (Approved as to form: 
10 ELISABETH OPPENHEIMER
11 Law Clerk
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INFORMATION

AO 257 (Rev. 6/78)

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURTBY: ☐ COMPLAINT ☒ INFORMATION ☐ INDICTMENT
☐ SUPERSEDING**OFFENSE CHARGED**

Title 18, U.S.C. § 1028(a)(4) - Fraud and related activity in connection with identification documents, authentication features, and information

☐ Petty
☐ Minor
☒ Misdemeanor
☐ Felony**PENALTY:**

1 year imprisonment, \$100,000 fine, 1 year supervised release, \$25 special assessment

E-FILINGName of District Court, and/or Judge/Magistrate Location
NORTHERN DISTRICT OF CALIFORNIA

DEFENDANT - 2500 JUL -9 A 9:47

Robert Wayne McManis RICHARD W. WIEKING
CLERKDISTRICT COURT NUMBER DISTRICT COURT
NO. DIST. OF CA. S.J.**CR-08 00445-MAG****PROCEEDING**

Name of Complainant Agency, or Person (& Title, if any)

Department of State Diplomatic Security Service

☐ person is awaiting trial in another Federal or State Court, give name of court☐ this person/proceeding is transferred from another district per (circle one) FRCP 20, 21 or 40. Show District☐ this is a reprosecution of charges previously dismissed which were dismissed on motion of:☐ U.S. Att'y ☐ DefenseSHOW
DOCKET NO.☐ this prosecution relates to a pending case involving this same defendant☐ prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded underMAGISTRATE
CASE NO.Name and Office of Person
Furnishing Information on
THIS FORM

JOSEPH P. RUSSONIELLO

☒ U.S. Att'y ☐ Other U.S. AgencyName of Asst. U.S. Att'y
(if assigned)

Susan Knight

DEFENDANT**IS NOT IN CUSTODY**

- 1) ☒ Has not been arrested, pending outcome this proceeding. If not detained give date any prior summons was served on above charges
- 2) ☐ Is a Fugitive
- 3) ☐ Is on Bail or Release from (show District)

IS IN CUSTODY

- 4) ☐ On this charge
- 5) ☐ On another conviction
- 6) ☐ Awaiting trial on other charges } ☐ Fed'l ☐ State

If answer to (6) is "Yes", show name of institution

Has detainer
been filed? ☐ Yes ☐ NoIf "Yes"
give date
filed**DATE OF
ARREST**

Month/Day/Year

Or... if Arresting Agency & Warrant were not

**DATE TRANSFERRED
TO U.S. CUSTODY**

Month/Day/Year

☐ This report amends AO 257 previously submitted**PROCESS:****ADDITIONAL INFORMATION OR COMMENTS**☐ SUMMONS ☒ NO PROCESS*☐ WARRANT

Bail Amount: _____

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address: _____

*Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time: _____

Before Judge: _____

Comments: _____